

REMARKS

Election/Restrictions

Applicant previously responded to Examiner's requirement for restriction by electing Invention I, claims 1-20, drawn to a slider, classified in class 360, subclass 234.3, with traverse. Examiner found applicant's grounds for traversal unpersuasive, deemed that the restriction remained proper and therefore was made FINAL.

Claim Rejections – 35 USC § 103

Claims 1-14 are rejected under 35 USC § 103(a) as being unpatentable over Dai et al. (US 2004/0093719) in view of Jamison et al. (US 5,475,040).

Examiner takes the position that Dai et al. shows a slider assembly in Fig.2 including a plurality of sliders 18 bonded by a debondable solid encapsulant 14, and each slider has a surface 24 that is free from the encapsulant, and the encapsulant-free surfaces are coplanar to each other.

Examiner goes on to argue that Dai et al. also shows that the encapsulant is comprised of thermoplastics or other polymers. However Examiner recognizes and admits that Dai et al. does not specify styrene and butadiene polymers with respect the composition of the encapsulant.

Examiner takes the position that, because the thermoplastic encapsulant of Jamison et al. includes styrene and butadiene polymers, it would have been obvious at the time the invention was made for one of ordinary skill in the art to be motivated to include styrene and butadiene polymers as an encapsulant to obtain good stability. However, a further reading of Jamison et al shows that Jamison et al. intends such use merely to "fine-tune the molding/encapsulant matrix characteristics."

Examiner recognizes the unique contribution of the styrene and butadiene encapsulant when he notes the presence of allowable subject matter in claims 19-20. Examiner acknowledges that applicant states in paragraph [0078] that blends containing styrene and butadiene polymers in a weight ratio of about 19:1 to about 17:3 exhibit markedly improved

performance. These weight ratios, recited in claim 19, are considered to render the present invention patentably distinct over the prior art of record, and claim 19 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Examiner also recognizes the weight ratio of 9:1, set forth in claim 20 as patentably distinct over the prior art of record, and states that claim 20 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

However, paragraph [0078] also provides "Increasing quantities of polybutadiene further improved the toughness and filling characteristics, but increased the solubility of the encapsulant formed thereby in common polar organic solvents (e.g. propylene glycol methyl ether acetate)."

Accordingly, applicant's invention should not be limited to the weight ratios of claims 19-20, but rather to the *blend* of styrene and butadiene polymers which enable said encapsulant to provide *markedly improved performance, with improved toughness and filling characteristics*. Applicant has amended claim 1 as recited above, and believes that claim 1 as amended patentably distinguishes the present invention over the prior art of record and places the application in a form suitable for allowance.

The amendments to claim 1 in large part renders Examiner's rejection of claims 1-14 in view of Dai et al. moot. The contiguous planar surface of claim 2, the array of claim 3, that the array is rectilinear (claim 4), or that the sliders do not contact each other (claim 5) are subsidiary elements of applicant's slider assembly, recited as dependent claims 2-5, and even if such elements were to appear in Dai et al., such appearance would not impact the patentability of amended independent claim 1.

Examiner goes on to rely on Dai et al. for the air-bearing surface of claim 6, the recitations regarding the substrate in claims 7-8, the pressure sensitive adhesive of claim 9, having the adhesive in contact with the tape over the air-bearing surfaces (claim 10) and certain recitations relating to the encapsulant (claims 11-14). Applicants reserves further arguments re

patentability of these claims, particularly as they relate to the encapsulant, in view of the amendments to claim 1 and the arguments in support of the patentability of amended claim 1 presented above.

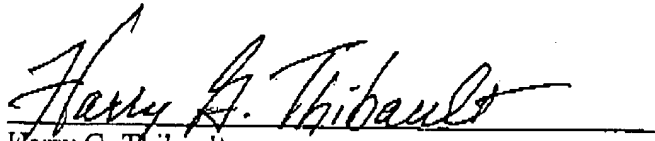
Claims 15-18 have been cancelled, rendering a response to their rejection under 35 USC 103 (a) moot.

CONCLUSION

For all of the above reasons, it is submitted that the pending claims define an invention that is patentable over the art. As the application should now be in condition for allowance, a prompt indication to that effect would be appreciated. If the Examiner has any questions concerning this communication, he is welcome to contact the undersigned at (650) 251-7700.

Respectfully submitted,

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